

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CARL D. SIMPSON AND BONNIE REED
SIMPSON, CO-ADMINISTRATORS OF
THE ESTATE OF CARL D. SIMPSON,

COPY

Plaintiffs,

vs.

Case No. C-1-00014

INTERMET CORPORATION, ET AL.,

Defendants.

DEPOSITION OF THOMAS STAPLETON

The deposition of Thomas Stapleton, was taken on July 14, 2003, at the approximate hour of 9:30 a.m., at 215 South Fourth Street, Ironton, Ohio.

ELITE COURT REPORTING
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BRANDY D. MOWERY

1 A. The other end of the machine, out of the view of .
2 anything going on back there.

3 Q. Right. What do you do back there?

4 A. There is a valve, a manual valve. You take a
5 little key - more or less, a little piece of wire, like off
6 of a fire extinguisher. That's what we used - and activate
7 that valve. That would lift the cope back up to its
8 position, up against the gas head. Then, you know, you
9 just reverse your procedure and start, you know, the same
10 as you started.

11 Q. You go back to the control panel then and put the
12 machine back into its automatic cycle?

13 A. Back into its automatic cycle.

14 Q. Let's suppose the sticker was in the drag. Would
15 that change the process?

16 A. In the drag, you have to strip it up. Which that
17 would separate the cope from the drag. Okay? Then you
18 would take -- they had safety bars you could slide through.

19 Q. In order to do that stripping, you did that from
20 the control panel?

21 A. Right. That is, if you're getting something out
22 of the drag.

23 Q. Okay.

24 A. This incident we're talking about, it was in the

1 open cope.

2 Q. Right. We're just trying to get a comparison.

3 A. Okay. What you do that is you strip it up. Then
4 you put your safety bars through. They had steel safety
5 bars. Once you do that, you go back out to your power
6 sources, turn them off, put pad locks on them. Nobody can
7 start that machine on you while you're in there. You get
8 back in there and dig out your sticker.

9 Q. When the sticker is in the cope, would you put
10 the safety bars in place?

11 A. There was no way of putting it in there.

12 Q. Where did the safety bars -- when they went in,
13 what parts of the machine did the safety bars lock?

14 A. Okay. You had the sand chamber. You had a sand
15 chamber out in front of your pattern. Okay? That's where
16 all of your sand came from. It had little square blocks on
17 it, you know, that you could shove your bars into. You had
18 these two, like -- it was like a bracket. They normally
19 stayed up high. When you got ready to shut the machine
20 down, you lower them down. They had a pin that went
21 through them. You lower them down. They had a little hole
22 in them to where you can shove your safety bar back through
23 it. You shove that through there. Then it goes into the
24 sand chamber. Then you just rest your cope right down on

1 top of it and it can't go nowhere as long as that bar
2 doesn't break (indicating).

3 Q. The process you've just described to me, when a
4 sticker was in the rear part, the far part of either the
5 cope or the drag, that is the procedure that you routinely
6 used?

7 A. Yes.

8 Q. You had a helper?

9 A. Yes.

10 Q. Would the helper sometimes get the sticker out?

11 A. If it was on his side of the pattern.

12 Q. Just for the record here, there are some carrier
13 fingers that go back and forth that carry the pattern out.

14 A. Yes.

15 Q. If it was on his side of those fingers, that
16 would be his job?

17 A. It's just whoever could reach it the best. If it
18 was hard on me to stretch over there and reach it, my
19 helper would help me. As a general rule, on my machine, I
20 did all of my own stickers.

21 Q. Do you know whether that was true of the other
22 operators or not? Did they, typically, get most of the
23 stickers out like you did?

24 A. Most of the time. Unless it was -- you know,

1 something like -- if it was in the cope -- if it was in the
2 cope, normally, the helper did it, because -- for the fact
3 that they could reach it. More or less, they could reach
4 it better.

5 Q. Let's suppose that it is in the cope, in an area
6 that is easier for the helper to get to. You're the
7 operator. This person is your helper.

8 A. All right.

9 Q. Walk us through and tell us who would be doing
10 what to get this sticker out.

11 A. Well, as the operator, I would do the top lock,
12 drop it down.

13 Q. You're doing that from the control panel?

14 A. Right.

15 Q. That's why you're doing it?

16 A. That's what I'm doing right there.

17 Q. Then what?

18 A. Then I would turn off my power sources and put
19 locks on it. When I felt that I did all I could do and it
20 was the helper's job to, you know, knock it out, I'd say
21 okay, you know.

22 Q. Then he would lean into the machine?

23 A. He would crawl into the machine and do the job.

24 Q. Then what happened? He gets the sticker out and

1 comes back out. Then what happens?

2 A. Then you go out and reverse everything that you
3 did. You turn your power sources back on. Then you take
4 your key and activate your valve to get it to raise back
5 up.

6 Q. Meanwhile, the helper would stand back there in
7 his position?

8 A. Right.

9 Q. When you were back there at the key, at the
10 solenoid where you used your key, by bending down, could
11 you look through the gas connections there and see the
12 helper's legs, body?

13 A. No.

14 Q. Did you ever try that? Did you ever bend down
15 and see if you could see through it?

16 A. I never recall that I had to. You know, I would
17 just tell my helper, hey, stay back.

18 Q. You never tried that, to get down on one knee,
19 for example?

20 A. No. I had no reason to.

21 Q. Did the helper have a set of locks that were the
22 helper's locks?

23 A. Yes.

24 Q. Each person had keys for their own personal

Q. That was, basically, the reputation that was held out in the community and to you, as a coworker of Mr. Simpson's?

MR. BARTY: Objection.

A. Yes.

MR. BOWLING: That's all the questions I have. Thank you.

RE-EXAMINATION

BY MR. BARTY:

Q. I have a few more questions.

The gates that were placed on the machine after the Simpson accident, did those gates change, in any way, in the process of removing a sticker?

A. Yes, because you had to -- in order to get back in there to remove the sticker, you had to have a safety bar in place to hold that gate up. The gate wouldn't stay by itself.

Q. So before you would enter the machine, you would raise the gates and put this bar into place?

A. Right.

Q. The gates would be raised from the control panel or manually?

A. Manually. It wasn't hard to lift, but you could lift it up. There was a pin that went through it once you